

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

|                               |   |                                 |
|-------------------------------|---|---------------------------------|
| CATLIN UNDERWRITING AGENCIES  | ) | Case No. 08-CV-0173-WQH (JMA)   |
| LIMITED,                      | ) |                                 |
|                               | ) | <b>NOTICE AND ORDER FOR</b>     |
| Plaintiff,                    | ) | <b>TELEPHONIC EARLY NEUTRAL</b> |
|                               | ) | <b>EVALUATION CONFERENCE</b>    |
| v.                            | ) |                                 |
|                               | ) |                                 |
| SAN DIEGO REFRIGERATED        | ) |                                 |
| SERVICES, INC., etc., et al., | ) |                                 |
|                               | ) |                                 |
| Defendants.                   | ) |                                 |
| _____                         | ) |                                 |

**IT IS HEREBY ORDERED** that a telephonic Early Neutral Evaluation Conference will be held on May 1, 2008 at 9:00 a.m. before Magistrate Judge Jan M. Adler. Counsel only for each party shall participate in the conference. The Court will initiate the conference call.

Although the submission of statements is not required in advance of the Early Neutral Evaluation Conference, parties may submit concise statements if desired. If a statement is submitted, it shall be provided to chambers no later than one

1 week prior to the scheduled conference.<sup>1</sup> If the parties submit  
2 statements in connection with the Early Neutral Evaluation  
3 Conference, they may either do so on a confidential basis or may  
4 exchange their statements.

5 Rule 26 of the Federal Rules of Civil Procedure shall apply  
6 to this case. All discovery shall be stayed until after the Rule  
7 26(f) conference, unless otherwise permitted by Rule 26(f) or  
8 court order.

9 The parties shall be prepared to discuss the following  
10 matters at the conclusion of the conference:

11 1. Any anticipated objections under Federal Rule of Civil  
12 Procedure 26(a)(1) to the initial disclosure provisions of Rule  
13 26(a)(1)(A-E);

14 2. The scheduling of the Rule 26(f) conference;

15 3. The date of initial disclosures and the date for  
16 lodging the discovery plan following the Rule 26(f) conference;  
17 and

18 4. The scheduling of a Case Management Conference pursuant  
19 to Rule 16(b).

20 Plaintiff's(s') counsel shall give notice of the telephonic  
21 Early Neutral Evaluation Conference to parties responding to the  
22 complaint after March 19, 2008.

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28 <sup>1</sup>Statements may be delivered directly to chambers, e-mailed to  
[efile\\_adler@casd.uscourts.gov](mailto:efile_adler@casd.uscourts.gov), or faxed to (619) 702-9939.

1 Questions regarding this case may be directed to the  
2 Magistrate Judge's law clerk at (619) 557-5585.

3 **IT IS SO ORDERED.**

4 DATED: March 19, 2008

5   
6 Jan M. Adler  
U.S. Magistrate Judge

**NOTICE OF RIGHT TO CONSENT TO TRIAL**  
**BEFORE A UNITED STATES MAGISTRATE JUDGE**

IN ACCORDANCE WITH THE PROVISIONS OF 28 U.S.C. § 636(c), YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE JUDGE OF THIS DISTRICT MAY, UPON THE CONSENT OF ALL PARTIES, ON FORM 1A AVAILABLE IN THE CLERK'S OFFICE, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF SHALL BE RESPONSIBLE FOR OBTAINING THE CONSENT OF ALL PARTIES, SHOULD THEY DESIRE TO CONSENT.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT TO CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE JUDGE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGMENTS OF THE U.S. MAGISTRATE JUDGES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.